

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SIXTH LEGISLATURE

**FORTY-SIXTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 24, 2022**

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Vick, absent and formally excused by the Chair; and Senators Rice and Thayne, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Aurelia Anderson, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 23, 2022, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senator Thayne was recorded present at this order of business.

February 24, 2022

The JUDICIARY AND RULES Committee reports that [S 1341](#), [S 1342](#), [S 1343](#), [S 1344](#), [S 1345](#), and [S 1346](#) have been correctly printed.

LAKEY, Chairman

[S 1341](#), [S 1342](#), and [S 1343](#) were referred to the State Affairs Committee.

[S 1344](#) and [S 1345](#) were referred to the Agricultural Affairs Committee.

[S 1346](#) was referred to the Health and Welfare Committee.

February 24, 2022

The AGRICULTURAL AFFAIRS Committee reports out [H 559](#) with the recommendation that it do pass.

BURTENSHAW, Chairman

[H 559](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

February 23, 2022

Dear Madam President:

I transmit herewith [H 540](#), [H 575](#), [H 476](#), [H 477](#), [H 478](#), [H 523](#), [H 524](#), [H 525](#), [H 571](#), [H 475](#), [H 562](#), [H 603](#), [H 532](#), [H 661](#), [H 584](#), [HCR 34](#), [H 556](#), [H 580](#), [H 609](#), [H 612](#), [H 463](#), [H 554](#), [H 589](#), and [H 594](#), which have passed the House.

MAULIN, Chief Clerk

[H 540](#), [H 575](#), [H 476](#), [H 477](#), [H 478](#), [H 523](#), [H 524](#), [H 525](#), [H 571](#), [H 475](#), [H 562](#), [H 603](#), [H 532](#), [H 661](#), [H 584](#), [HCR 34](#), [H 556](#), [H 580](#), [H 609](#), [H 612](#), [H 463](#), [H 554](#), [H 589](#), and [H 594](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the following attaches were elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Pages:

Katelyn Berry, Boise

Mark Vincent, Eagle

Whereupon the President instructed the Senate Sergeant-at-Arms, Sarah Jane McDonald, to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Margaret Henbest was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Anthon, the Gubernatorial reappointment of Margaret Henbest as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Anthon, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Jared Zwygart retained its place on the calendar for Friday, February 25, 2022.

The President announced that the Education Committee report relative to the Gubernatorial appointment of Cally Roach was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by President Pro Tempore Winder, the Gubernatorial appointment of Cally Roach as a member of the State Board of Education was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Education Committee report relative to the Gubernatorial appointment of William G. Gilbert Jr. was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Wintrow, seconded by Senator Crabtree, the Gubernatorial appointment of William Gilbert as a member of the State Board of Education was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

[H 540](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 575](#), by Local Government Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 476](#), [H 477](#), and [H 478](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 523](#), [H 524](#), [H 525](#), and [H 571](#), by Transportation and Defense Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

[H 475](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 562](#) and [H 603](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 532](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 661](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 584](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[HCR 34](#), by Resources and Conservation Committee, was introduced, read at length, and referred to the Resources and Environment Committee.

[H 556](#), [H 580](#), [H 609](#), and [H 612](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 463](#), [H 554](#), [H 589](#), and [H 594](#), by Commerce and Human Resources Committee, were introduced, read the first time at

length, and referred to the Commerce and Human Resources Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[H 634](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 533](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1304](#) and [S 1327](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 536](#), [H 537](#), [H 538](#), and [H 542](#), by Judiciary, Rules and Administration Committee, were read the second time at length and filed for third reading.

[S 1321](#), [S 1325](#), and [S 1332](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[H 507](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

#### **General Calendar**

The President declared the Senate resolved into the Committee of the Whole and called Senator Lee to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

#### **Report of the Committee of the Whole**

Senator Lee, Chair of the Committee of the Whole, reported out [S 1291](#), [S 1254](#), and [S 1276](#), without recommendation, amended as follows:

##### **SENATE AMENDMENT TO S 1291**

###### **AMENDMENT TO SECTION 1**

On page 2 of the printed bill, in line 40, delete "hold a bachelor's degree or".

##### **SENATE AMENDMENT TO S 1254**

###### **AMENDMENT TO SECTION 7**

On page 2 of the printed bill, delete lines 38 and 39, and insert:

"(2) Each regional air quality council shall be independently created by the legislature pursuant to subsection (1) of this section and, upon creation, shall be located within the Idaho department of environmental quality."

###### **AMENDMENT TO SECTION 8**

On page 3, in line 18, delete "2"; and delete line 19, and insert: "~~including the study of air quality in the Treasure Valley.~~"

##### **SENATE AMENDMENT TO S 1276**

###### **AMENDMENT TO SECTION 1**

On page 2 of the printed bill, in line 3, delete "the board of directors" and insert: "~~the board of directors~~"; in line 9, delete "notice, including" and insert: "notice of"; in line 10, delete "may"

and insert: "shall"; in line 13, delete "which notice may"; and in line 14, delete "be given".

The Committee also has [S 1298](#), [S 1263](#), and [S 1330](#) under consideration, reports progress, and begs leave to sit again.

LEE, Chair

On motion by Senator Lee, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1291](#), as amended, [S 1254](#), as amended, and [S 1276](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

### Third Reading of Bills

[S 1308](#), having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Blair (Johnson), Crabtree, Den Hartog, Funk (Souza), Guthrie, Harris, Lee, Lodge, Nelson, Nye, Patrick, Riggs, Semmelroth, Stennett, VanOrden (Bair), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 23.

NAYS—Burgoyne, Burtenshaw, Cook, Grow, Heider, Lakey, Lent, Martin, Ricks, Thayn. Total - 10.

Absent and excused—Rice, Vick. Total - 2.

Total - 35.

Whereupon the President declared [S 1308](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1279](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Ricks, Riggs, Semmelroth, Stennett, Thayn, VanOrden (Bair), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 32.

NAYS—None.

Absent and excused—Crabtree, Rice, Vick. Total - 3.

Total - 35.

Whereupon the President declared [S 1279](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1290](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1283](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Riggs arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Ricks, Riggs, Semmelroth, Stennett, Thayn, VanOrden (Bair), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Rice, Vick. Total - 2.

Total - 35.

Whereupon the President declared [S 1283](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1284](#) and [S 1285](#) retained their place on the Third Reading Calendar for one legislative day.

[S 1331](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Ricks, Riggs, Semmelroth, Stennett, Thayn, VanOrden (Bair), Ward-Engelking, Winder, Wintrow, Woodward. Total - 31.

NAYS—Bayer, Zito. Total - 2.

Absent and excused—Rice, Vick. Total - 2.

Total - 35.

Whereupon the President declared [S 1331](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1295](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Funk (Souza), Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Ricks, Riggs, Semmelroth, Stennett, Thayn, VanOrden (Bair), Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Rice, Vick. Total - 2.

Total - 35.

Whereupon the President declared [S 1295](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

**Messages from the House**

February 24, 2022

Dear Madam President:

I transmit herewith Enrolled [HCR 32](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 32](#) and ordered it returned to the House.

February 24, 2022

Dear Madam President:

I return herewith Enrolled [S 1255](#), [S 1262](#), and [S 1273](#), which have been signed by the Speaker.

MAULIN, Chief Clerk

Enrolled [S 1255](#), [S 1262](#), and [S 1273](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:59 a.m. until the hour of 10 a.m., Friday, February 25, 2022.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary